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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/961,206	09/24/2001	Kazuya Nanbu	Q66362	6243

7590 02/20/2004

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EXAMINER

MARCELO, EMMANUEL MONSAYAC

ART UNIT	PAPER NUMBER
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3654

DATE MAILED: 02/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/961,206

Applicant(s)

NANBU, KAZUYA

Examiner

Emmanuel M Marcelo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 November 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 19 is/are allowed.
- 6) ☒ Claim(s) 1-18 and 20-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4, 13.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-18 and 20-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Park et al (U.S. Patent no. 5,782,033) in view of Kaneko (U.S. Patent no. 5,236,147).

With respect to claims 1, 2, 6-8, 10-12, 14, 15, 18 and 20-23 Park et al disclose a fishing device with a strike detection device, data lock and line breakage protection. The lure or bait is attached to a submersible unit which detects the aquatic conditions in the vicinity of the lure or bait. The unit transmits the tension exerted by the lure or bait and the aquatic conditions to the unit on the fishing rod. When a strike occurs, the aquatic conditions are recorded along with the position of the strike.

Park et al disclose a reel body (not shown); an informing device (transmitting circuit; see column 1, lines 63-64) for informing an angler about fishing information; a receiver (col. 2, line 4) for receiving a signal which includes the fishing information (water depth, temperature, location of strike, etc.) and is transmitted from a transmitter (transmitting circuit); and a controller 13 for controlling the informing device to inform the angler about the fishing information from the receiver, wherein the fishing information includes fishfinder information transmitted from an exterior fishfinder through the receiver and the transmitter; wherein the

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information device includes a display which simultaneously displays the fishfinder information and the measured line length.

Park et al do not teach the use of a revolutions counter and line measurement device. Kaneko teaches a line length measuring device to determine the unwound or wound amount of the fishing line based on the number of spool rotations. It would have been obvious to one of ordinary skill in the art to provide Park et al with a spool revolutions counter and line length measuring device to that the unwound and wound amount of line will be readily known to the angler.

With respect to claims 3, 4, 13 and 16, the fishing information transmitted from the transmitter is data processed in a GPS device 18.

With respect to claims 5, 9 and 17, the signal from the transmitter to the receiver is transmitted by a wire (optical cable, see abstract, line 4).

Allowable Subject Matter

Claim 19 is allowed over the prior art of record.

Response to Arguments

Applicant's arguments filed November 18, 2003 have been fully considered but they are not persuasive.

In reply to applicant's remarks on the second full paragraph of page 10, it is respectfully pointed out that, in Park et al, a message to a fisherman indicating that a strike has occurred (and

is displayed on unit 16) constitutes “fishfinder information” as best understood by Examiner.

What constitutes “fishfinder information”?

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Emmanuel M Marcelo whose telephone number is 703-305-6597.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Katherine Matecki can be reached on 703-308-2688. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Emmanuel M Marcelo
Primary Examiner
Art Unit 3654

emm
February 6, 2004